



HR0931

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HOUSE RESOLUTION

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WHEREAS, The Constitution of the United States was written
3 and ratified to, in its own words, "provide for the common
4 defense"; and

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WHEREAS, All of the rights granted by the American federal
6 government to individual men, women, and children, whether they
7 are American citizens on the one hand, or captured enemy
8 combatants on the other, stem from the Constitution of the
9 United States and its foundational purpose to provide for our
10 common defense; and

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WHEREAS, Acts of terrorist war against the United States,
12 especially but not limited to the destruction of the World
13 Trade Center and a portion of the Pentagon headquarters of the
14 U.S. Department of Defense, on September 11, 2001, are not
15 criminal acts, and when non-U.S.-citizen enemy combatants are
16 accused of complicity in acts of this class, these acts should
17 be classified as attacks on the people of the United States,
18 rather than classified as criminal acts; and

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WHEREAS, The administration of President Barack Obama,
20 including the United States Department of Justice, appears to
21 believe that enemy combatants, taken into custody in the Global
22 War on Terror, who are not United States citizens, should enjoy

1 rights that are equal, in all respects, to the rights enjoyed
2 by United States citizens; and

3 WHEREAS, The administration of President Barack Obama,
4 including the United States Department of Justice, appears to
5 believe that non-U.S.-citizen enemy combatants who are charged
6 with a terrorist act or acts against the United States, taken
7 into custody in the Global War on Terror, should be placed on
8 trial in criminal courts, and given rights equivalent to the
9 rights enjoyed by criminal defendants who are citizens of the
10 United States; and

11 WHEREAS, Rights enjoyed by citizens of the United States,
12 under the Constitution, include the right to be warned of their
13 right to remain silent ("Miranda warning"), the right to
14 confidential consultation with a court-appointed and
15 taxpayer-funded attorney, the right to be tried in a civilian
16 court of law, the right not to be subjected to harsh forms of
17 interrogation, and many other rights; and

18 WHEREAS, The rights enjoyed by citizens of the United
19 States in criminal trials impose a substantial fiscal impact
20 upon the budgets of the U.S. Department of Justice and its
21 allied agencies, which are expenses paid by U.S. taxpayers,
22 including the taxpayers of Illinois; therefore, be it

1 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
2 NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we
3 do not support granting, to non-citizen enemy combatants
4 accused of terrorist acts against the United States, and taken
5 into custody in the Global War on Terror, the Miranda rights
6 and other privileges of the Constitution enjoyed by citizens of
7 the United States of America; and be it further

8 RESOLVED, That we call upon the current Administration of
9 President Barack Obama and the U.S. Department of Justice to
10 re-examine and shift their positions on this extremely
11 important strategic issue; and be it further

12 RESOLVED, That we, the Illinois House of Representatives,
13 do not support placing non-citizen enemy combatants taken into
14 custody in the Global War on Terror on trial in criminal
15 courts; and be it further

16 RESOLVED, That we support efforts in Congress to enact
17 legislation to legally forbid civilian criminal charges
18 against, and trials for, persons charged with a terrorist act
19 or acts against the United States, with special reference to
20 the proposed trial of accused 9/11 mastermind Khalid Sheikh
21 Mohammed; and be it further

22 RESOLVED, That we, the Illinois House of Representatives,

1 do not support granting, to non-uniformed enemy combatants
2 taken into custody in the Global War on Terror, the rights
3 enjoyed by uniformed prisoners of war; and be it further

4 RESOLVED, That we, the Illinois House of Representatives,
5 believe that non-uniformed, non-U.S.-citizen enemy combatants
6 taken into custody in the Global War on Terror should be
7 subjected to military tribunals under procedures enacted by
8 law; and be it further

9 RESOLVED, That a suitable copy of this Preamble and
10 Resolution be transmitted to the President of the United
11 States, the Attorney General of the United States, the United
12 States Secretary of Defense, the two United States Senators
13 from Illinois, and the Illinois delegation to the United States
14 House of Representatives.